

FILED

JUN 15 2017

Clerk, U S District Court
District Of Montana
Missoula

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MONTY GERALD MCCLURE,

Defendant.

CR 17-08-M-DLC

ORDER

THIS MATTER comes before the Court on the United States' Motion for Preliminary Order of Forfeiture. The Court having read said motion and being fully advised in the premises finds:

THAT the United States and the Defendant, MONTY GERALD MCCLURE, entered into a plea agreement that provides a factual basis and cause to issue a forfeiture order under 18 U.S.C. § 924(d);

THAT prior to the disposition of the assets, the United States Marshal's Service, or its designated sub-custodian, is required to seize the forfeited property; and

THAT 21 U.S.C. § 853(n)(1) requires that third parties who may have an interest in the property receive notice, via publication, or to the extent practical,

direct written notice of the forfeiture and the United States' intent to dispose of the property.

THEREFORE, IT IS ORDERED, DECREED AND ADJUDGED:

THAT the Defendant, MONTY GERALD MCCLURE'S, interest in any firearm involved in and used in the offenses (violations of Count I and III of the Indictment) committed by McClure, is forfeited to the United States in accordance with 18 U.S.C. § 924(d). That property consists specifically:

- a Marlin rifle, Model 60, .22 caliber, Serial Number obliterated;
- a Mossberg 500A 12 gauge shotgun, Serial Number U554339; and
- an Optic site removed from Mossberg 500A shotgun.

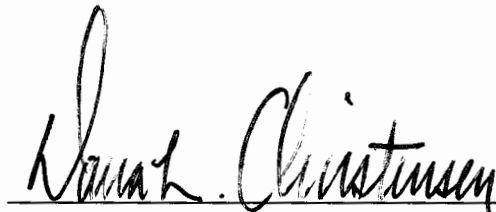
THAT the United States Department Marshal's Service, or its designated sub-custodian, is directed to seize the property subject to forfeiture and further to make a return as provided by law;

THAT the United States will provide written notice to all third parties asserting a legal interest in any of the above-described property and will post on an official government internet site (www.forfeiture.gov) for at least 30 consecutive days as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, notice of the Court's Preliminary Order and the United States' intent to dispose of the property in such

manner as the Attorney General of the United States may direct, pursuant to 21 U.S.C. § 853(n)(1), and to make its return to this Court that such action has been completed; and

THAT upon adjudication of all third-party interests, if any, the Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853(n)(7) and Fed. R. Crim. P. 32.2(c)(2), in which all interests will be addressed.

DATED this 15th day of June, 2017.

A handwritten signature in black ink, reading "Dana L. Christensen". The signature is written in a cursive, flowing style. The first name "Dana" is written with a large, looped "D". The last name "Christensen" is written with a large, looped "C". The signature is positioned above a horizontal line.

Dana L. Christensen, Chief Judge
United States District Court